



## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#3

Declaration for Patent Application

As a named inventor, I hereby declare that:

My residence, mailing address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

PARTICLES FOR INHALATION HAVING RAPID RELEASE PROPERTIES

the specification of which (check one)

☐ is attached hereto.

☒ was filed on June 22, 2001 as United States Application

Number or PCT International Application No. 09/ 888,126

and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 C.F.R. §1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT international filing date of the continuation-in-part application.

I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or of any PCT international application having a filing date before that of the application on which priority is claimed:

<u>Prior Foreign Application(s)</u>			Priority Not Claimed	Certified Copy Filed?	
				YES	NO
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year filed)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

I hereby claim the benefit under 35 U.S.C. 120 of any United States application, or 365(c) of any PCT international application designating the United States of America, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

<u>09/752,109</u> (Application Serial No.)	<u>December 29, 2000</u> (Filing date)	<u>Pending</u> (Status: patented, pending, abandoned)
<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing date)	<u>                    </u> (Status: patented, pending, abandoned)
<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing date)	<u>                    </u> (Status: patented, pending, abandoned)
<u>                    </u> (Application Serial No.)	<u>                    </u> (Filing date)	<u>                    </u> (Status: patented, pending, abandoned)

As a named inventor, I hereby appoint the attorneys and/or agents associated with  
**Hamilton, Brook, Smith & Reynolds, P.C., 530 Virginia Road, P.O. Box 9133, Concord, Massachusetts 01742-9133, Customer No. 21005,**

and \_\_\_\_\_,

to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

Please send correspondence to:

☒ Customer No. **21005**  
**HAMILTON, BROOK, SMITH & REYNOLDS, P.C.**  
**530 Virginia Road**  
**P.O. Box 9133**  
**Concord, MA 01742-9133**

or

☐ Address as follows:

Direct telephone calls to: Anne I. Craig, Esq. Telephone No.: 781-861-6240

Direct facsimiles to: Anne I. Craig, Esq. Facsimile No.: 781-861-9540

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole

or first inventor Jennifer L. Schmitke

Inventor's Signature  Date 12/17/01

Residence 476 Shawmut Ave, #5

Boston, MA 02218

Citizenship USA

Mailing Address Same as above

Full name of second joint

inventor, if any Donghao Chen

Inventor's Signature [Signature] Date Dec. 6, 2001

Residence 16 Eldred Street

Lexington, MA 02420

Citizenship USA

Mailing Address Same as above

Full name of third joint

inventor, if any Richard P. Batycky

Inventor's Signature [Signature] Date Dec 17/01

Residence 11 Madison Avenue

Newton, Massachusetts 02460

Citizenship CANADA

Mailing Address Same as above

Full name of fourth joint

inventor, if any David A. Edwards

Inventor's Signature [Signature] Date 12-6-01

Residence 171 Commonwealth Avenue, Unit 3

Boston, Massachusetts 02420

Citizenship USA

Mailing Address Same as above

Full name of fifth joint

inventor, if any Jeffrey S. Hrkach

Inventor's Signature [Signature] Date 5-17-2001

Residence 24 Cambridge Terrace, Unit 2

Cambridge, MA 02140

Citizenship USA

Mailing Address Same as above